

**Town of Cedar Lake – Plan Commission
Public Meeting Minutes
July 17, 2013**

Call to Order: 7:06 p.m.

Roll Call:			
Present	Jim Hunley	Present	Donald Oliphant
	Member		Town Engineer
Present	Julie Rivera	Present	Jack Slager
	Member		Building Commissioner
Present	Greg Parker	Present	Tim Kuiper
	Member		Town Attorney
Present	Robert Carnahan	Present	Jessica Chick
	Vice-President		Recording Secretary
Present	Tim Kubiak	Absent	Diane Cusack
	President		Member
Absent	John Foremen		
	Member		

**John Foreman arrived at approximately 7:16pm.*

Minutes:

- 1. Approval of June 19, 2013 Public Meeting Minutes-
Motion to approve made by Jim Hunley and seconded by Julie Rivera. Vote 5-0.

Public Hearing

1. Ordinance No. 1176- Establishing New Comprehensive Zoning Regulations

- (1) Town Attorney’s Comments: this ordinance is to extend the 90 day maximum limitation on current variances to one year. This will be properly advertised for the August Plan Commission meeting.
- (2) Town Manager’s Comments: none
- (3) Building Department’s Comments: none
- (4) Remonstrators: none
- (5) Commission’s Discussion: none
- (6) Commission’s Recommendation to the Town Council:

Motion made to continue this public hearing for the August meeting made by Robert Carnahan and seconded by John Foreman.

Diane Cusack	Jim Hunley	Julie Rivera	Robert Carnahan	Greg Parker	John Foreman	Tim Kubiak
ABSENT	YES	YES	YES	YES	ABSENT	YES

Vote 5-0

Old Business

1. Michael Dolder- Final Plat Approval

Owner/Petitioner: Michael & Marilyn Dolder, 13 Hawthorne Pl., Schererville, IN 46375
Vicinity: 13900 Huseman Place, Cedar Lake, IN 46303
Request: Petitioner is requesting Final Plat approval to establish a two (2) lot subdivision.

- (1) Petitioner’s Comments: This process is because a request from the town. Petitioner is present to help clean up the plat and to simplify the survey.
- (2) Town Engineer’s Comments: A review was completed on June 27, 2013, and a resubmittal has been received. Comments have been worked out. The final plat had been reviewed, and the easement had been cleaned up for easier tracking in the future.
- (3) Building Department’s Comments: Variances for the side yard setbacks had been approved by the Board of Zoning Appeals.
- (4) Commission’s Discussion: none.
- (5) Commission’s Decision:

Motion made to approve the final plat made by Jim Hunley and seconded by Julie Rivera.

Diane Cusack	Jim Hunley	Julie Rivera	Robert Carnahan	Greg Parker	John Foreman	Tim Kubiak
ABSENT	YES	YES	YES	YES	YES	YES

Vote 6-0

2. McDonald’s Corporation- Final Plat & Site Plan Approval

Owner: McDonalds Corporation, One McDonald’s Plaza, Oak Brook, IL 60523
Petitioner: Fred Mathias, 3277 Oak Knoll Rd., Carpentersville, IL 60110
Vicinity: 13312 Wicker Ave., Cedar Lake, IN 46303
Request: Petitioner is requesting Final Plat and Site Plan Approval to establish a one (1) lot subdivision.

- (1) Petitioner’s Comments: A revision of the plat has been submitted for approval. A document which contained information regarding a change in the easement along the north side. The previous plat had shown a 30 foot ingress on the eastern corner, which did not line up with anything. This has been corrected with the document found by stating it was an error. The plat has been revised and that is what is has been brought to the board today for approval. No other changes have been made to the plat or any other changes to the property.
- (2) Town Engineer’s Comments: This is such a minor revision that not much needed to be done regarding the matter.
- (3) Building Department’s Comments: Concerned as to whether the easement is on BP’s property, per McDonald’s engineering representative it is not.
- (4) Commission’s Discussion: none.
- (5) Commission’s Decision:

Motion made for the final plat and site plan approval made by Jim Hunley and seconded by John Foreman.

Diane Cusack	Jim Hunley	Julie Rivera	Robert Carnahan	Greg Parker	John Foreman	Tim Kubiak
ABSENT	YES	YES	YES	YES	YES	YES

Vote 6-0

3. BP- Preliminary & Site Plan Approval

Owner: Herman Fisher, 7404 E. Plank Trail, Frankfort, IL 60423
Petitioner: Cleon Stutler, 2155 Willowcreek, Road, Portage, IN 46368
Vicinity: 13302 Wicker Ave., Cedar Lake, IN 46303
Request: Petitioner is requesting Preliminary Plat approval to establish a one (1) lot subdivision and site plan approval.

- (1) Petitioner’s Comments: The plan is to remove the existing gas station along with the carwash and construct a new building and carwash. Property to the west of the gas station had been purchased in order to ensure proper retention and room for the proposed carwash. The drawings presented show the convenience store as well as the outline of the Dunkin Donuts with a drive up window. The engineering is currently being worked on regarding this project and will be forwarded as soon as it is completed.
- (2) Town Engineer’s Comments: see below
- (3) Building Department’s Comments: An additional parcel had been added since the previous meeting with the petitioner. There is a 17.5 foot strip in between the two (2) parcels that had been purchased for the project; the plat may end up being a three (3) lot subdivision because the Town owns this 17.5 foot strip. The Town is willing to work with them regarding this matter. The approval for the plat is not ready because of this matter. It will need to be shown how this plat will coordinate with the McDonalds to the south. The newest drawing has shown a twenty-four (24) foot old entrance and a twenty-four (24) foot new entrance; this is showing that they are moving the north/south access road to McDonalds to the west. With McDonald’s site plan just being approved with their revisions, the two are not correlating. There are issues at hand that need to be worked out regarding this matter as well before a plat approval can be granted. The

17.5 foot easement is believed to be a sewer easement, it is unknown as to why the Town is shown as the owner.

- (4) Commission’s Discussion: The entry change will allow for better traffic flow off of US 41. Because of the needed changes to the plat, it has been suggested to place this request on a deferred status. Additional fuel pumps are being added, as well as a brand new car wash. Discussion of a recycled water system has been spoken of; seventy-five percent of the water from the rinse cycle will be filtered then reused for future use for the wash cycle. A proposed \$600,000 has been prepared to spend on the carwash. A minimal amount of seating will be inside for the Dunkin Donuts customers. The donuts will be made fresh daily in Dyer then brought to the Cedar Lake location versus being shipped from the warehouse in Orland Park. Since the city water line will not have reached the BP gas station by the time of the renovation, discussion of a connection along with a required ten (10) foot easement across the front, with a stub out from the front will be discussed when the time arrives. The lane for the drive-up window is twelve (12) feet wide and the easement along the side is twenty-four (24) feet. Once all of the entrances are re-worked there will be less confusion and traffic in those areas.
- (5) Commission’s Decision:

Motion made to defer the Plat Approval till the August 28th meeting made by Greg Parker and seconded by Jim Hunley.

Diane Cusack	Jim Hunley	Julie Rivera	Robert Carnahan	Greg Parker	John Foreman	Tim Kubiak
ABSENT	YES	YES	YES	YES	YES	YES

Vote 6-0

4. Thomas Kooi- Preliminary Plat Approval (Janet’s Lakewood Subdivision)

Owner/Petitioner: Thomas & Candace Kooi, 16336 Morton Place, Lowell, IN 46356
Vicinity: 9436 W. 125th Court, Cedar Lake, IN 46303
Request: Petitioner is requesting Preliminary Plat approval to establish a three (3) lot subdivision.

- (1) Petitioner’s Comments: Petitioner’s engineer is present willing to take any questions or comments. The engineering issues have all been tackled; the issues at hand are the building lines and grades. A thirty (30) foot building line from the lake regarding lot three (3) has been aligned, the building grades regarding lots one (1) and two (2) have been adjusted, an easement has been added along the south side of lot one (1). A couple of engineering details are requested including the driveway going across the north end of the lake. A survey was hard to get because of the trees, resulting in an on foot survey needing to be done.
- (2) Town Engineer’s Comments: A recommendation made by the Town Engineer that the building line be shifted inside the lot because the Zoning Ordinance for R-2 requires there to be eighty (80) foot frontage at the building line, not the property line. By moving the building line to the interior off the lake it is basically restricting any kind of construction to a home east of it. Side and rear yard setbacks are still missing from the plat as well as an example of where the driveway for lot three (3) will be placed. It has been measured that the proposed driveway to be placed eighty-five (85) feet from the lake.
- (3) Building Department’s Comments: Most of the items that are in need of change have been addressed. There are some additional requirements for lot three (3) once the building permits are issued because of the sewer pumping condition, a long driveway issue, gas and electric utility issues. The Petitioner stated that NIPSCO had made a comment that it would be ran underground, especially regarding lot three (3).
- (4) Commission’s Discussion: A note can be made on the plat that all utilities will need to be underground for safety reasons.
- (5) Town Attorney’s Comments: This item had been properly continued for a public hearing last month, so it is proper for a public hearing tonight.
- (6) Remonstrators: none
- (7) Commission’s Decision: A preliminary plat approval will be contingent upon final engineering comments as well as the underground utilities for lot three (3).

Motion made for approval subject to the engineers comments, as well as the underground utilities for lot three (3) made by Jim Hunley and seconded by Robert Carnahan.

Diane Cusack	Jim Hunley	Julie Rivera	Robert Carnahan	Greg Parker	John Foreman	Tim Kubiak
ABSENT	YES	YES	YES	YES	YES	YES

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Vote 6-0

Correspondence: none.

Public Comment: none.

Adjournment: The meeting was adjourned approximately 7:55 p.m.

Press Session:

Jim Hunley

Greg Parker

Diane Cusack

Robert H. Carnahan

Julie Rivera

Tim Kubiak

John Foreman

Attest: _____
Jessica Chick, Recording Secretary